

2020 PRP 15 Changes – Home Rental

ISSUE:

Update to PRP 15 to allow a Member renting a home or lot to retain the right to register and use boats on Lake Holiday.

BACKGROUND:

PRP 15, Section B.5 states that a tenant is granted certain limited rights of a Member when renting property at Lake Holiday. Among the rights granted to a tenant is the right to register and use a boat. Rights granted to a tenant are relinquished by the Member. This means if a Member rents a home or lot to a tenant, the Member no longer has the right to register and use boats at Lake Holiday. The right to register and use boats is a discretionary right, not an absolute necessity like the right to have a gate pass and to use roads and the trash facility. A Member should be allowed to retain this discretionary right to register and use boats so long as the tenant is not also allowed to register and use boats at Lake Holiday. This preserves the principle that only one of the Member or tenant should have that right, but not both. The tenant would still be granted and be able to use other membership rights as provided in PRP 15. This change is consistent with the language of PRP 3 which only allows either a Member or a tenant to register boats at Lake Holiday, but not both.

Recommended language change to PRP 15:

“A lessee or renter shall be granted limited rights of a Member of Lake Holiday to include use of the roads, use of the recreational and social amenities, access to a gate card, optional membership in the Exercise Facility, ~~right to register and use a boat~~, use of the marina and use of the trash facility. Rights granted to the lessee or renter are relinquished by the owner/Member, except access to the rental property. Notwithstanding the foregoing, the owner/Member renting to the lessee or renter shall have the right to retain the right to register and use boats at Lake Holiday and, if so retained, the lessee or renter shall have no right to register and use boats at Lake Holiday.”

RECOMMENDATION/SUMMARY:

Approve the change to PRP 15 to allow a Member who is renting a lot or home to a tenant to retain the right to register and use boats at Lake Holiday. If the Member retains this right, the tenant shall not be permitted to register or use boats at Lake Holiday.

PROPOSED MOTION/ACTION:

Motion to approve the recommended changes in PRP 15 and to incorporate the proposed language changes into PRP 15.

SPONSOR:

Jon Reedy
Lake Committee Board Liaison

Margaret McCulla
Rules and Regulations Sub-Committee



POLICIES, RULES, AND PROCEDURES
PRP NO. 15

Home Rental

Revised and

Approved by the Board of Directors

Date: September 25, 2012

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PRP NO. 15 HOME RENTAL

SECTION A. LEASING AND RENTAL POLICY

Leasing and rental of homes at Lake Holiday shall be strictly in adherence with the following Rules. Violation of these rules shall be considered a violation of the relevant Declaration (Deed of Dedication) in accordance with Paragraph 55-515 of the Virginia property Owners' Association Act. Violation of these rules shall be pursued in accordance with Paragraph 55-513 of that Act.

All homes in Lake Holiday are single-family dwellings. A "single family" is defined as one family unit, which may include a single person, a couple, parents and their children of any age, grandparents and grandchildren. Roommates living together and maintaining a household may be included, but not more than four unrelated persons occupying a dwelling, living together and maintaining a household shall be deemed to constitute a "single family."

SECTION B. RULES FOR LEASING AND RENTAL

1. A home at Lake Holiday may be leased or rented for an initial period of not less than six months. The term of the lease or rental may be extended past the initial period at the discretion of the Owner and the lessee or renter.
2. Such lease or rental must be documented in the form of a lease or rental agreement between the owner and the lessee or renter. Such lease or rental agreement shall state that the lessee or renter is obligated to understand and obey all of the Rules and Regulation of Lake Holiday.
3. A lessee or renter must register all cars with the Management Office.
4. The Owner must give notice to the Management Office at the time any new tenant leases or rents a home. The Owner must provide name(s) of the tenant(s) and confirm the Owner's contact information.
5. A lessee or renter shall be granted limited rights of a Member of Lake Holiday to include use of the roads, use of the recreational and social amenities, access to a gate card, optional membership in the Exercise Facility, right to register and use a boat, use of the marina and use of the trash facility. Rights granted to the lessee or renter are relinquishes by the owner, except access to the rental property.
6. A lessee or renter shall not be granted the right to vote in any Association election or referendum.
7. A lessee or renter shall be subject to all restrictions of the Lake Holiday Governing Documents and to all of the Rules and Regulations of Lake Holiday. The Owner remains responsible for the actions of the lessee or renter. Action for any violations by a renter or lessee will be pursued in accordance with the Virginia Property Owners' Association Act, Paragraph 55-513, as though the violation had been committed by the Owner.
8. A lessee or renter shall be granted the right to invite guests into Lake Holiday with the same privileges and restrictions that apply to an Owner. The Owner remains responsible for a guest's actions and behavior. Action for any violations by a renter's or lessee's guest will be pursued in accordance with the Virginia Property Owners' Association Act, Paragraph 55-513, as though the violation had been committed by the Owner.
9. Failure of an Owner to fully resolve any violation on the part of a renter or lessee will result in the Owner rights suspended under Article III of the Lake Holiday Bylaws.

10. Should the Owner become delinquent on assessments or be found in violation of the Governing Documents or Rules and Regulations of Lake Holiday, the Owner's rights shall be suspended under Article III of the Lake Holiday Bylaws and such suspension shall also apply to the lessee or renter.

REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
		Original		
V1	6/23/2009	Reformatted	All	
V2	6/26/2012	Renamed		
V3	9/25/2012	"Single Family" defined	A	